



# Department of Justice

FOR IMMEDIATE RELEASE  
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A federal grand jury in Philadelphia today returned a felony indictment charging nine corporations and seven individuals with conspiring to fix prices of electric weld steel tubing.

Attorney General Benjamin R. Civiletti said the indictment, and a companion civil suit, both charging a violation of Section 1 of the Sherman Act, were filed in United States District Court in Philadelphia.

Named as defendants in the indictment were:

- Berger Industries, Inc., Maspeth, New York; Philip Castiglia, its Vice President, Tube Division; and Irving Roth, its Vice President, Marketing;
- Daily Corporation, Montgomeryville, Pennsylvania, and James A. Russell, its President;
- Hofmann Industries, Inc., Sinking Spring, Pennsylvania;
- Markin Tubing Inc., Wyoming, New York;
- Miller Tube Corporation of America, Flushing, New York, and Martin Miller, its Senior Vice President;
- Roth Steel Tube Company, Cleveland, Ohio, and Stephen D. Oliphant, its President;
- Tuesday Industries, Inc., Cornwells Heights, Pennsylvania, and William Daily, its Vice President, Trade Relations;
- U.S. Metal Forms & Tubes, Inc., Muirkirk, Maryland; and
- Van Huffel Eastern Corporation, Gardner, Massachusetts, and Jack W. Shick, its assistant treasurer.

(MORE)

John H. Shenefield, Assistant Attorney General in charge of the Antitrust Division, said the indictment charges that beginning in 1962 and continuing to 1979 the defendants and co-conspirators conspired to fix the prices of electric weld steel tubing.

This tubing is used in a variety of applications, including the manufacture of dinettes, recreational equipment, bicycles, and lamps. It is also used as electrical conduit. The electric weld steel tubing sales of the corporate defendants in 1978 exceeded \$100 million.

The civil suit names the nine indicted corporations as defendants. It seeks injunctive relief based on the allegations in the indictment.

The maximum penalty upon conviction under the indictment is a \$1 million fine for a corporation and a \$100,000 fine and three years in prison for an individual.

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